

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

12/15/2014

UNITED STATES OF AMERICA
Plaintiff:

V.

PADILLA, MIGUEL
Defendant:

Case No.: 1:S211-CR01072-21 (DLC)

Judge: COTE

MOTION FOR MODIFICATION OR REDUCTION OF SENTENCE
Pursuant to 18 U.S.C. §3582(c)(2)
(Guideline Amendment No. 782)

I, MIGUEL PADILLA, hereby request a modification of my sentence pursuant to 18 U.S.C. §3582(c)(2) and Amendment #782 to the U.S. Sentencing Guidelines, which made a reduction in the base offense level for drug offenses retroactive as of November 01, 2014, and in support of my Motion, state the following:

1. I am serving a sentence of 24 months of imprisonment for an offense in violation of 18:371; Conspiracy to commit adulteration and misbranding offenses and the unlawful wholesale distribution of prescription drugs.
2. My sentence was based on Conspiracy.
3. My Projected Date of Release is September 29, 2015.
4. I was sentenced in the Southern District of New York on October 31, 2013.

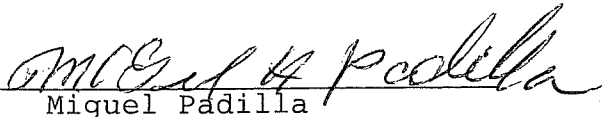
The Advisory Guidelines range was calculated by the Probation Office as a base offense level 17, Criminal History Category I, for a range of 24 to 30 months.

5. Now, under the (NEW AMEND DRUG MINUS 2) of two (2) level reduction, I request this Honorable Court for a reduction of my sentence to now level 15, for a range of 18 to 24 months. Thus with the 2 points reduction, this sentence would be 18 months, the low-end of the Guidelines, under the New Amended range, and pursuant to 18 U.S.C. §3582(c)(2) amend for all drug offenses under U.S. Sentencing Guidelines Drug Table §2D1.1. effective November, 01, 2014.

6. I believe that I am entitled to relief as I was convicted and sentenced under U.S. Sentencing Guidelines Drug Table §2D1.1.

Therefore, for all the foregoing reasons, the petitioner, MIGUEL PADILLA, respectfully request this Honorable Court amend the sentence to two (2) levels under §3582(c)(2) and (NEW AMEND #782) reduction.

Respectfully Submitted this 07 Day of December, 2014.

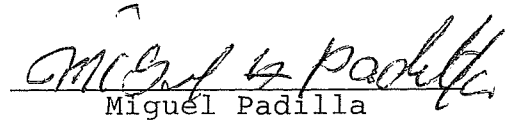
A handwritten signature in cursive script, appearing to read "Miguel Padilla", is written over a horizontal line.

Miguel Padilla
Reg. No. 67165-054
Unit A6-14L
Moshannon Valley Correctional Center
555 Geo Drive
Philladelphia, PA 16866

WAIVER OF APPEARANCE IN COURT

I, MIGUEL PADILLA, have reviewed the Emergency Motion for relief under 18 U.S.C. §3582(c)(2), and agree to waive my rights to personally appear in the United States District Court for the Southern District of New York, and agree that the Court may proceed by way of an "Order" of the Court.

Executed on: December 07, 2014.

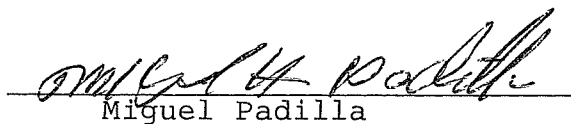

Miguel Padilla

CERTIFICATE OF SERVICE

On December 08, 2014, I, MIGUEL PADILLA, mailed a copy of this Motion of Amend #782 and any attached pages to the U.S. Attorney's Office at the following address:

U.S. Attorney's Office, Southern District of New York, One St. Andrew's Plaza, New York, NY 10007.

By: First Class Mail.


Miguel Padilla

Date: December 08, 2014